

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ACE AMERICAN INSURANCE COMPANY  
a/s/o CALVIN KLEINMAN  
and  
INSURANCE COMPANY OF NORTH  
AMERICA a/s/o FAITH MCCURDY,

2009 Civ. 728 (TPG)

**RETURN OF SERVICE**

Plaintiffs,

- against -

SEAWANHAKA CORINTHIAN YACHT CLUB,

Defendant.  
-----X

Pursuant to Fed. R. Civ. P. Rule 4, the plaintiff hereby makes proof of service to the Court. The plaintiff attaches hereto Exhibit 1, the Affidavit of Service of David Kleinberg declaring under penalty of perjury under the laws of the United States of America that he personally served the Summons and Complaint for the above captioned civil action on Jane Smith on behalf of defendant, Seawanhaka Corinthian Yacht Club, on February 18, 2009.

Dated: New York, New York  
February 24, 2009  
230-38; 230-39

CASEY & BARNETT, LLC  
Attorneys for Plaintiffs

By:



Gregory G. Barnett (GGB-3751)  
Thomas M. Grasso (TMG-3737)  
65 West 36<sup>th</sup> Street, 9<sup>th</sup> Floor  
New York, New York 10018  
Telephone: (212) 286-0225  
Facsimile: (212) 286-0261

ACE AMERICAN INSURANCE CO. ET AL  
Plaintiff(s)  
- against -  
SEAWANHAKA CORINTHIAN YACHT CLUB  
Defendant(s)

Index #: 09 CIV 00728  
Date Filed:  
AFFIDAVIT OF SERVICE

STATE OF NEW YORK: COUNTY OF NEW YORK ss:  
DAVID KLEINBERG BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION, OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on February 18, 2009 at 12:55 PM at  
314 YACHT CLUB ROAD  
CENTRE ISLAND, NY11771

deponent served the within true copy of the SUMMONS & COMPLAINT on SEAWANHAKA CORINTHIAN YACHT CLUB, the defendant/respondent therein named,





CORPORATION by delivering thereat a true copy of each to JANE SMITH, REFUSED TRUE NAME personally, deponent knew said corporation so served to be the corporation described in said SUMMONS & COMPLAINT as said defendant/respondent and knew said individual to be the MANAGING AGENT thereof.

Deponent further states that he describes the person actually served as follows:

Sex	Skin Color	Hair Color	Age (Approx.)	Height (Approx.)	Weight (Approx)
FEMALE	WHITE	LIGHT BROWN	53	5'5	125

February 18, 2009 at 12:55 PM Jane Smith, true name unknown said name fictitious, said name intended being the managing (or general) agent of defendant/respondent SEAWANHAKA CORINTHIAN YACHT CLUB described as above and refusing to give name at time of service.

Sworn to me on: February 19, 2009

 Linda Forman Notary Public, State of New York No. 01FO5031305 Qualified in New York County Commission Expires August 1, 2010	 Robin Forman Notary Public, State of New York No. 01FO6125415 Qualified in New York County Commission Expires April 18, 2009	 Larry Yee Notary Public, State of New York No. 01YE5015682 Qualified in New York County Commission Expires July 26, 2009	 DAVID KLEINBERG Docket #: 616630
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Linda Forman  
 Notary Public, State of New York  
 No. 01FO5031305  
 Qualified in New York County  
 Commission Expires August 1, 2010

  
 Robin Forman  
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 Commission Expires April 18, 2009

Larry Yee  
 Notary Public, State of New York  
 No. 01YE5015682  
 Qualified in New York County  
 Commission Expires July 26, 2009

  
**DAVID KLEINBERG**

Docket #: 616630